
ENVIRONMENTAL REGULATIONS AND REQUIREMENTS

For many years, Americans believed that we could control pollution by focusing on large, easily identifiable sources, or point sources, of pollution. Most of these point sources were large businesses or public facilities. Over the last half of the twentieth century, we have made a great deal of progress in getting these sources to pollute less. Still, recent history has shown that we will not reach our goal of reducing pollution to acceptable levels by continuing to deal with only large businesses and other point sources. As a result, many small businesses now are or soon will be required to comply with federal, state, or local environmental regulations.

Environmental Regulatory Agencies and Programs

When Congress passes federal environmental laws, it authorizes the EPA to administer the programs that enforce those laws. The EPA often will delegate that responsibility to the state environmental agency—in Texas, the TNRCC. Businesses can then deal with a single agency—the TNRCC—on all matters of permitting and compliance, state and federal, in those programs. There is one federal program of note that the EPA has not delegated to the TNRCC: the wastewater treatment and discharge program. For wastewater treatment and discharge in Texas, the EPA administers the federal program, and the TNRCC administers the state program. Each agency issues its own wastewater permits, separate from the other agency's permitting program.

Your business may also be subject to county, city, or other local environmental regulations. This chapter provides a brief overview of the environmental regulatory programs that might apply to a small business in Texas, with specific concern for nonpoint source pollution. The major environmental programs that small business may be subject to involve these activities:

- (1) discharges to sanitary sewers,
- (2) on-site stormwater management, and
- (3) management and disposal of solid and hazardous waste.

If you have specific questions about regulations that may affect your business, check Appendix 1. There you will find lists of agency contacts, information resources, trade associations, TNRCC regional offices, and other sources of information on nonpoint source pollution. One program of the TNRCC that can help small businesses understand and comply with environmental regulations is the Small Business Assistance Program (1-800-447-2827). You can also find a

great deal of information at the TNRCC's Web site: <http://www.tnrcc.state.tx.us>.

Discharges to Sanitary Sewers

Most small businesses are not subject to point source wastewater discharge permitting. Such permits are usually required only if you operate a wastewater treatment plant at your facility and discharge the effluent to a receiving stream. Even so, you should be aware that there are certain restrictions on what your business can discharge to a sanitary sewer. Every sanitary sewer ultimately connects to a wastewater treatment plant that is regulated by state and federal permits.

These types of liquid wastes may be subject to sanitary sewer discharge regulations:

- *Oils and greases from any source, including restaurants.* Oils and greases that solidify when cooled can stop up sewer systems. In large amounts, oils that remain liquid can coat and inactivate biological components of wastewater treatment systems.

- *Water used to wash equipment and vehicles.* This wastewater often carries with it large amounts of sand and grit, which can settle out in the sewer system.

- *Wastes that contain toxic substances.* These wastes can kill the bacteria that break down organic wastes as part of the wastewater treatment process.

The amount of these substances that your business can discharge depends in part on the design of the wastewater treatment facility that ultimately receives the waste. Restrictions based on that design are written into the facility's permits. Consult the operator of your local wastewater treatment facility (usually a city or municipal utility district) to find out what restrictions apply to the waste your business discharges into the sanitary sewer.

Stormwater Management

Some small businesses may need to apply for a permit under the federal Clean Water Act's National Pollutant Discharge Elimination System (NPDES) stormwater discharge regulations. Your business may need to obtain an individual site permit if it is in one of these categories:

- certain manufacturing industries with Standard Industrial Classification² (SIC) codes of 20-39, if the site is operated such that there is potential exposure to storm water
- recycling facilities (including automobile salvage yards)
- construction sites that involve five or more acres of land

There are other kinds of facilities that might require permits under these regulations—for example, steam-driven electricity generators, hazardous waste treatment facilities, and landfills—but these other facilities are usually not owned or operated by small businesses. Special exemptions apply to small businesses with annual sales below a threshold dollar amount specified in the regulation. If you think your business fits into any category that requires one of these permits, contact the EPA Region 6 office at the address shown in Appendix 1.

Managing and Disposing of Waste

Almost every business generates waste³ in its normal daily operations. The regulations that apply to your waste depend first upon the types of waste you have. So the first step to follow in successfully managing your wastes is to determine what different types of waste you have. Figure 2-1 shows the various types of waste to consider according to state and federal regulations.

A complete explanation of how to classify wastes is beyond the scope of this guide. However, help is available. For specific information about classifying your waste and about regulations which might apply to your business, call the Small Business Assistance Program at 1-800-447-2827. The TNRCC publication *Guidelines for the Classification and Coding of Industrial Wastes and Hazardous Wastes* (RG-22) has a thorough discussion of this topic. Appendix 3 provides an overview of the types of hazardous wastes typically generated at different small businesses.

Once you have classified your waste, remember that disposal is not necessarily your only option. Energy recovery, reuse, or even recycling may be an option for your wastes—even for certain hazardous wastes.

² Beginning in 1998, the equivalent North American Industry Classification System (NAICS) will replace the SIC coding system.

³ The laws and regulations define the term “solid waste” to include not only waste solids, but also waste liquids, sludges, and contained waste gases. For simplicity in this discussion, we use the term “waste” in place of “solid waste.”

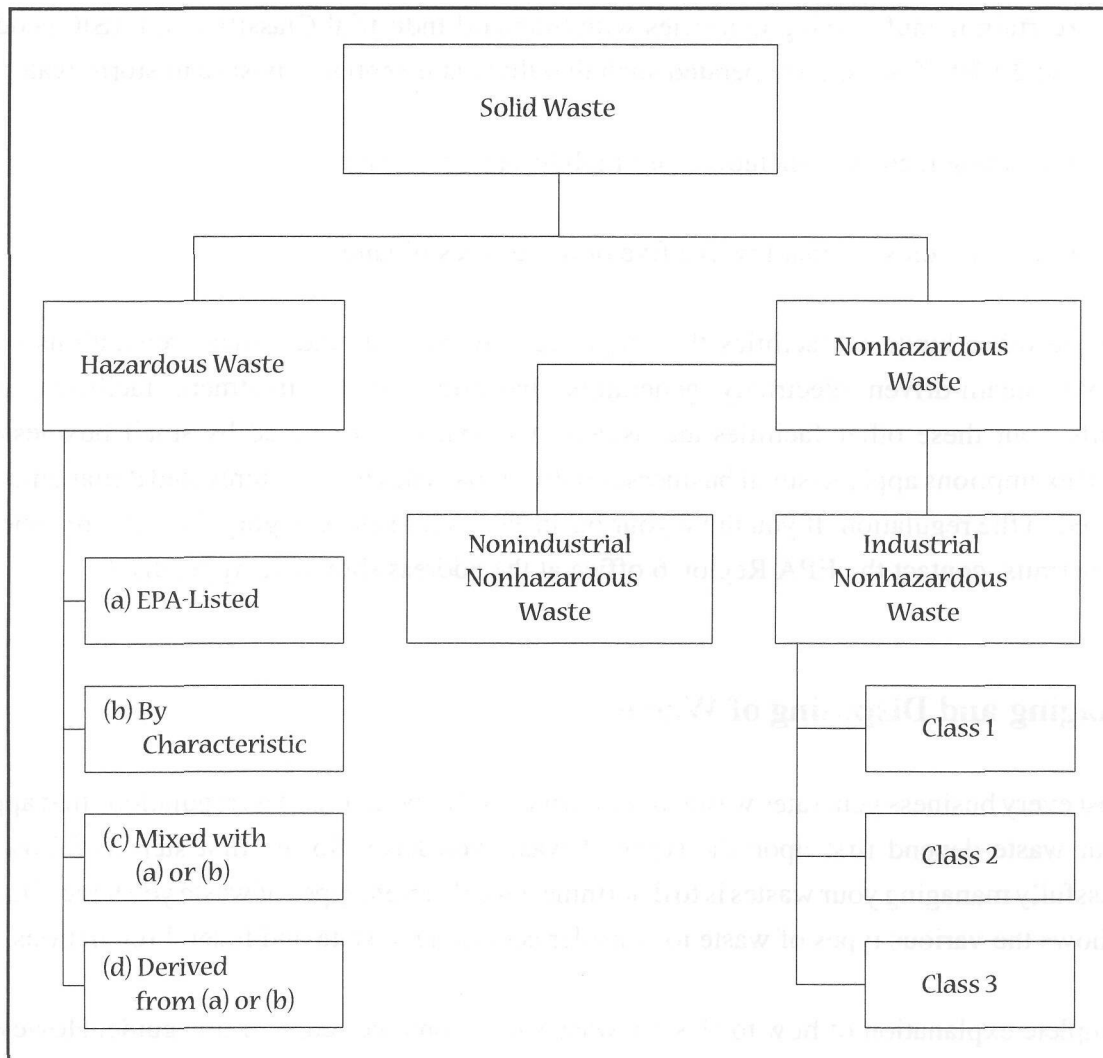


Figure 2-1 Solid Waste Categories.